

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

March 24, 1999
MAG Office - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

| | |
|--|---|
| Mayor Skip Rimsza, Phoenix, Acting Chairman | * Mayor Colin Barleycorn, Litchfield Park |
| Councilmember Ben Arredondo for Mayor Neil | Supervisor Don Stapley, Maricopa County |
| Giuliano, Tempe, Chairman | Mayor Wayne Brown, Mesa |
| Mayor Thomas Morales, Avondale | * Mayor Edward Lowry, Paradise Valley |
| Mayor Dusty Hull, Buckeye | Councilmember Ken Forgia for Mayor John |
| Mayor Hugh Stevens, Carefree | Keegan, Peoria |
| Mayor Tom Augherton, Cave Creek | Vice Mayor Wendy Feldman-Kerr for Mayor |
| Councilmember Martin Sepulveda for Mayor Jay | Mark Schnepf, Queen Creek |
| Tibshraeny, Chandler | * President Ivan Makil, Salt River Pima- |
| Mayor Cel Arias, El Mirage | Maricopa Indian Community |
| * Mayor Sharon Morgan, Fountain Hills | * Mayor Sam Campana, Scottsdale |
| * Mayor Chuck Turner, Gila Bend | Mayor Joan Shafer, Surprise |
| * Governor Mary Thomas, Gila River Indian | * Mayor Adolfo Gamez, Tolleson |
| Community | Mayor Dallas Gant, Wickenburg |
| Mayor Cynthia Dunham, Gilbert | Councilmember Eugene Russell for Mayor |
| Mayor Elaine Scruggs, Glendale | Donald J. Needham, Youngtown |
| Vice Mayor Ken Porter for Mayor Bill Arnold, | F. Rockne Arnett, ADOT |
| Goodyear | Scott Newton, Citizens Transportation |
| * Mayor Frances Osuna, Guadalupe | Oversight Committee |

*Those members neither present nor represented by proxy.

1. Call to Order

The meeting of the Regional Council was called to order by Acting Chairman Skip Rimsza at 5:10 p.m.

2. Pledge of Allegiance

Acting Chairman Rimsza introduced proxies: Councilmember Martin Sepulveda for Mayor Jay Tibshraeny from Chandler, Scott Newton as interim representative for CTOC, Vice Mayor Ken Porter for Mayor Bill Arnold from Goodyear, Councilmember Ken Forgia for Mayor John Keegan from Peoria, Vice Mayor Wendy Feldman-Kerr for Mayor Mark Schnepf from Queen Creek, Councilmember Ben Arredondo for Mayor Neil Giuliano from Tempe, and Councilmember Eugene Russell for Mayor Donald Needham from Youngtown.

Acting Chairman Rimsza announced that parking validation is available from MAG staff for the Norwest garage only. He said that the RPTA has generously agreed to provide transit tickets for individuals who use the bus to get to the Regional Council meeting. He stated that tickets are available following the meeting from Matt Ortega of the RPTA.

3. Approval of the February 24, 1999 Meeting Minutes

Mayor Hugh Stevens moved, Mayor Cel Arias seconded, and it was unanimously carried to approve the February 24, 1999 Regional Council meeting minutes.

4. Call to the Audience

Acting Chairman Rimsza noted that we have a timer to assist the public with their presentations, which have a three minute time limit. When two minutes have elapsed, the yellow light will come on notifying the speaker that they have one minute to sum up. He said that at the end of the three minute time period, the red light will come on. Members of the audience who wish to speak fill out a card and give it to the MAG staff who will bring it to the Chairman.

Acting Chairman Rimsza stated that public comment is provided at the beginning of the meeting for non-agenda items and for consent items. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually.

He indicated that for the action items on the agenda, public comment will be taken when the item is heard. Public comments are limited to three minutes.

Vice Chairman Rimsza recognized public comment from Blue Crowley, who stated that scoping materials on rail are available from RPTA. He commented that he is glad to see spring training site locations appearing on bus flyers. Mr. Crowley requested a letter on Grand Avenue improvements from Ms. Rock Betu from the Town of Wittman be entered into the record.

5. Executive Director's Report

James M. Bourey stated that a decision by the District Court in Washington, DC at the beginning of March regarding transportation conformity may have a significant impact on transportation issues. He indicated that many transportation projects are at risk and jurisdictions nationwide are concerned about the potential impact of this Air Quality decision.

Mr. Bourey noted that the FHWA and EPA have expressed concern about the State's emissions testing program. He said that problems could be encountered because the program is not authorized as an ongoing program. Mr. Bourey stated that legislation would have to be passed to change this.

Mr. Bourey indicated that HB 2181, which proposes to reassign the regional transportation planning to ADOT in an urban planning division, was passed by the House 33 to 25. Mr. Bourey noted that the Senate Transportation Subcommittee defeated the bill last week. However, one Senator reconsidered, and the bill is back to be heard by the Subcommittee and two other committees. Mr. Bourey indicated that voicing opposition to the bill from the Regional Council members is very important.

Mr. Bourey summarized some important issues discussed at conferences of the National Association of Regional Councils (NARC) and the Association of Metropolitan Planning Organization (AMPO) he attended in Washington, DC.

Mr. Bourey stated that seven bills have been introduced and passed by a US House Committee regarding Census 2000. He noted that the update of the address list is essential to our region. A strategy has been negotiated and we will be able to update the address list. Mr. Bourey stated that statistical sampling is still not finalized. The Supreme Court had ruled that statistical sampling adjustments were not allowed for purposes of Congressional apportionment. However, the Census Bureau issued a plan for a second set of counts to be used for redistricting, revenue distribution and other purposes.

Mr. Bourey welcomed government students from Desert Vista High School and Mountain Pointe High School who were in the audience.

Acting Chairman Rimsza thanked Mr. Bourey for his report and asked if there were any questions.

6. Approval of Consent Agenda

Acting Chairman Rimsza stated that in order to provide for further review of the issues raised by the City of Tempe, the following items will not be heard tonight and will be rescheduled for the April Regional Council meeting:

- 8A. Long Range Transit Plan Update,
- 14A. MAG Federal Funding Draft FY 2000-2004 MAG Transportation Improvement Program
- 14B. Conformity Analysis of the Draft FY 2000-2004 MAG Transportation Improvement Program
- 14C. Conformity Analysis of the MAG Long Range Transportation Plan Summary and 1999 Update

He indicated that a memo requesting removal of the agenda items is at each place.

Acting Chairman Rimsza stated that agenda items #7, #8B, #9, #10, #11A, #11B, and #11C are on the consent agenda.

Acting Chairman Rimsza recognized public comment from Blue Crowley, who stated that the five year TIP expands bus and rail projects. He commented that rail, freeway, and HOV facilities should be multimodal. The State is not doing its fair share. He expressed appreciation to Mary Peters, ADOT, for her leadership in attempts to improve multimodal projects. Acting Chairman Rimsza thanked Mr. Crowley for his comments and asked if there were any questions.

Mayor Wayne Brown moved, Supervisor Don Stapley seconded, and it was unanimously carried to approve consent agenda items #7, #8B, #9, #10, #11A, #11B, and #11C.

7. Administrative Adjustment to the FY 1999-2003 MAG Transportation Improvement Program

The Regional Council, by consent, approved the transit administrative adjustment to the FY 1999-2003 MAG Transportation Improvement Program. The FY 1999-2003 MAG Transportation Improvement Program (TIP) was approved by the Regional Council in September 1998. It is necessary to revise the FY 1999 element of the Transit portion of the TIP to accelerate 9 projects, revise 10 projects and defer 6 projects. The 9 accelerated projects are a result of additional funding opportunities within the FY 1999 Federal Transportation Appropriations Bill. These changes are not expected to affect the MAG air quality conformity analysis. The Management Committee recommended approval of the administrative adjustment.

8A. Long Range Transit Plan Update

This item was taken off the agenda and will be considered at the April meeting.

8B. 1999 Update of MAG Regional Bicycle Plan

The Regional Council, by consent, approved including the 1999 Update of the MAG Regional Bicycle Plan into the 1999 Update of the MAG Long Range Transportation Plan for conformity analysis. The MAG Regional Bicycle Plan was adopted by the Regional Council in February, 1992. In October, 1997, the Regional Bicycle Task Force (RBTF) initiated discussion of methods to update the MAG Regional Bicycle Plan. After extensive discussion and review, the RBTF focused on three critical tasks. The RBTF decided to address other planning tasks as part of an ongoing regional bicycle planning process. The 1999 Update of the MAG Regional Bicycle Plan addresses these critical planning tasks. The Update revises goals and objectives, changes evaluation criteria for project selection, enhances plan maps, updates the funding plan, and documents possible future planning activities. The Management Committee recommended including the Update of the Regional Bicycle Plan into the Long Range Transportation Plan.

9. Consultant Selection for MAG External Travel Study

The Regional Council, by consent, approved selecting the consultant firm Parsons Transportation Group to provide MAG with an external travel study for an amount not to exceed \$150,000. The FY 1999 MAG Unified Planning Work Program (UPWP) includes a \$150,000 project to obtain information about travel passing through the MAG region or travel entering the MAG region. This survey information will update the 13 year old external travel portion of the MAG Regional Transportation model. The study will provide information about travel at the edges of our current model study area. Half of this survey is being paid by Maricopa County as a joint undertaking. On December 20, 1998, a Request for Proposals was advertised. Two proposals were received. These proposals were from the Parsons Transportation Group (PTG) and ATD Northwest. On February 9, 1999, a consultant evaluation group reviewed the proposals and interviewed the two firms and recommended selecting PTG. MAG is recommending that PTG conduct the study for an amount not to exceed \$150,000. The Management Committee concurred with this recommendation.

10. Recommendations to the Arizona Department of Transportation for the FTA Elderly & Persons with Disabilities Transportation Program

The Regional Council, by consent, approved forwarding the priority listing of applicants for FTA Elderly & Persons with Disabilities Transportation Program to the Arizona Department of Transportation. On March 1, 1999, the MAG FTA Elderly and Persons with Disabilities Transportation Ad Hoc Committee ranked applications for the Federal Transit Administration (FTA) Section 5310 funding. FTA provides these funds to the Arizona Department of Transportation for capital assistance to agencies and public bodies that provide transportation services for people who are elderly and for people who have a disability. This year, 20 applications for capital assistance awards were received and considered by the Committee. The ranking provided by MAG is considered by ADOT in determining which applicants are to be awarded. The Management Committee concurred with the recommendation of the MAG committee.

11A. Consultation on Conformity Assessment for Proposed Amendments to the MAG 1999-2003 Transportation Improvement Program

On February 23, 1999, the MAG Transportation Review Committee (TRC) recommended that 18 projects be added to the 1999 MAG federally funded program, including the necessary amendment of the MAG 1999-2003 Transportation Improvement Program (TIP). On March 10, 1999, the list was supplemented with one additional exempt project identified in a memorandum provided to the Management Committee. All of the projects are considered minor for conformity purposes. Seven projects are being advanced to 1999 as an administrative adjustment to the TIP. Costs for two existing projects have increased, which also requires an administrative adjustment. The remaining ten projects are minor additions. Comments on the conformity assessment were due by March 24, 1999.

MAG has reviewed the proposed projects for compliance with the federal conformity rule (40 CFR Parts 51 and 93) and has found that the proposed projects may be categorized as exempt, for which conformity determinations are not required, or not regionally significant, for which emissions modeling is not required. The current conformity finding of the TIP and the associated Long Range Transportation Plan Summary was made jointly by the Federal Highway Administration and Federal Transit Administration in a letter dated October 20, 1998 and would be unchanged by the proposed minor TIP Amendment.

Copies of the conformity assessment were distributed for consultation purposes to the Federal Highway Administration, Federal Transit Administration, Arizona Department of Environmental Quality, Arizona Department of Transportation, Regional Public Transportation Authority, Maricopa County Environmental Services Department, U.S. Environmental Protection Agency, and other interested parties including members of the public. No comments were received.

11B. Consultation on Conformity Assessment for an Administrative Adjustment to the MAG 1999-2003 Transportation Improvement Program

The Regional Public Transportation Authority has requested that MAG make an administrative adjustment to the MAG 1999-2003 Transportation Improvement Program (TIP) for 25 transit projects. Nine of the projects are accelerations to FY 1999. Ten projects are being revised. Six projects are being deferred and will be addressed in the upcoming TIP. The proposed projects are considered to require only a minor administrative adjustment to the TIP. Comments on the conformity assessment were due by March 24, 1999.

MAG has reviewed the proposed projects for compliance with the federal conformity rule (40 CFR Parts 51 and 93) and has found that the projects in question may be categorized as exempt, for which conformity determinations are not required, or not regionally significant, for which emission modeling is not required. The current conformity approval of the TIP and the associated Long Range Transportation Plan would be unchanged by the proposed minor administrative adjustment to the TIP. This conformity assessment is being transmitted for consultation purposes to the agencies and other interested parties.

11C. Consultation on Potentially Regionally Significant Projects of the MAG 2000-2004 Transportation Improvement Program

Federal and State conformity regulations require Metropolitan Planning Organizations such as MAG to consult with State and local air quality and transportation agencies, the U.S. Environmental Protection Agency, and the U.S. Department of Transportation regarding which transportation projects will be considered "regionally significant" for the purposes of regional emissions analysis. Regionally significant projects are subject to conformity requirements. Comments regarding the list were due to MAG by March 24, 1999.

12. Valley Vision 2025 Update

Mr. Bourey remarked that strategic planning meetings have been held to work on some process redesign. Mr. Bourey told the members that the Silicon Valley 2010 vision project appears to be a model that may be appropriate to Valley Vision 2025. Mr. Bourey stated that Doug Henton from Collaborative Economics, a contributor to the Silicon Valley 2010 study, came to MAG and gave input on Valley Vision 2025. He remarked that the next Valley Vision 2025 meeting is scheduled for April 7, 1999, to further discuss the redesigned process. Acting Chairman Rimsza thanked Mr. Bourey for his report.

13. Federal Fiscal Year 1999 MAG Federal Funds Preliminary Closeout / Amendment to the FY 1999-2003 MAG Transportation Improvement Program and to the FY 1999 MAG Unified Planning Work Program and Annual Budget

Acting Chairman Rimsza recognized public comment from Blue Crowley, who stated that existing heavy rail should be used. He commented we need more on the MAG Travel Survey. Mr. Crowley stated that Wickenburg is a major component of the Grand Avenue study. Acting Chairman Rimsza thanked Mr. Crowley for his comments.

Paul Ward stated that the federal funds available to the MAG region under the Transportation Equity Act for the 21st Century (TEA-21) have increased from an average of \$40 million per year to \$55 million. Regional Council action has increased the funds that are committed to the regional freeway system from an average of \$28 million per year to \$33.6 million. As a result, approximately \$16 million are likely to be available and are currently unprogrammed in the region for the current year, FY 1999. In order to program the additional funds available for the FY 2000-2004 MAG Transportation Improvement Program (TIP), it is necessary to carry out a preliminary closeout of the current federal fiscal year. There have been three requests to carry projects forward to FY 2000 and one requested deletion. It is important to note that the Obligation Authority (OA) to spend the FY 1999 funds must be committed by September 30, 1999 and the projects for the funds must have completed federal

procedures. On March 10, 1999, the Management Committee unanimously recommended approval of the recommendations made by the TRC in February 1999, including adjustments recommended by staff. The estimate of funds available includes \$1 million in redistributed OA not yet received by MAG. He indicated that \$700,000 of these funds have not been programmed. Redistributed OA is provided towards the end of the fiscal year after funding is made available from other states. In addition, funds could become available due to projects not being able to be obligated this year in the MAG programming process. These funds, if available, would be allocated in the final closeout process. Several of the recommended projects require a "minor" amendment to the FY 1999-2003 MAG TIP, in order to proceed, and others require an amendment to the FY 1999 Unified Planning Work Program (UPWP) and Annual Budget. Acting Chairman Rimsza thanked Mr. Ward for his report and asked if there were any questions.

Mayor Shafer asked if the Grand Avenue Study included Surprise. Mr. Bourey replied that the Grand Avenue Study does include Surprise, in addition to those requests determined through the West Valley Mayors and Managers meetings held earlier in the year.

Mayor Joan Shafer moved, Mayor Wayne Brown seconded, and it was unanimously carried to approve the following additions to FY 1999:

- 1) Accelerate the design of programmed bicycle projects, \$217,833 (CMAQ);
- 2) Accelerate the MAG telecommunications project, \$90,000 (CMAQ)**;
- 3) Accelerate Maricopa County Peoria Ave bridge pedestrian project, \$59,570 (CMAQ);
- 4) Accelerate Maricopa County upgrade AzTech data server, \$471,500 (CMAQ);
- 5) Accelerate Maricopa County dust stabilization project, \$377,200 (CMAQ);
- 6) Accelerate design of Phoenix Parking Management System, \$430,000 (CMAQ)*;
- 7) Purchase 18 new standard buses, \$5,431,680 (CMAQ)*;
- 8) Implement new Ozone Campaign, \$300,000 (CMAQ)**;
- 9) Preliminary design for regional rail development, \$2,600,000 (CMAQ)*;
- 10) Four new MAG telecommunications projects, \$575,000 (CMAQ/STP)**;
- 11) Construct Tempe Downtown Parking Management System, \$3,206,200 (CMAQ)*;
- 12) Install new Tempe pedestrian lighting upgrade, \$707,250 (CMAQ)*;
- 13) Construct Scottsdale intersection improvement, \$1,697,400 (CMAQ)*;
- 14) Implement new Surprise dust stabilization project, \$285,900 (CMAQ) *;
- 15) MAG Travel Survey- \$500,000 (STP-MAG)**;
- 16) MAG Northwest Grand Avenue Study - \$100,000 (STP-MAG)**;
- 17) Implement new MAG ITS Plan Update, \$250,000 (STP-MAG)**;
- 18) Install new Chandler ITS System detectors, \$113,160 (CMAQ); and
- 19) Accelerate the design of the Glendale ITS project, \$141,450 (CMAQ)*.

* Authorize an amendment to the FY 1999-2003 MAG Transportation Improvement Program to include these projects in FY 1999.

** Also amend the FY 1999 MAG Unified Planning Work Program and Annual Budget.

14A. MAG Federal Funding: Draft FY 2000-2004 MAG Transportation Improvement Program

This item was taken off the agenda and will be considered at the April meeting.

14B. Conformity Analysis of the Draft FY 2000-2004 MAG Transportation Improvement Program

This item was taken off the agenda and will be considered at the April meeting.

14C. Conformity Analysis of the MAG Long Range Transportation Plan Summary and 1999 Update

This item was taken off the agenda and will be considered at the April meeting.

15. Resolution of Support for Transportation Financing Legislation

Acting Chairman Rimsza recognized public comment from Blue Crowley, who commented that putting legislation and multimodal together will get the job done right. Acting Chairman Rimsza thanked Mr. Crowley for his comments.

Mr. Bourey stated that MAG, ADOT, and stakeholders have been working cooperatively to complete the accelerated freeway plan, Grand Avenue improvements, HOV lanes and SR 85 improvements. Completion of the freeway system. Even though our region has received an additional \$485 million in funding, additional transportation financing is needed. Mr. Bourey stated that the Management Committee discussed the proposed accelerations of our transportation systems and the critical need for financing legislation. The Management Committee requested that a resolution be prepared and considered for approval by the Regional Council for presentation to the Legislature. Mr. Bourey stated that the resolution is at each place.

A RESOLUTION OF THE MARICOPA ASSOCIATION OF GOVERNMENTS
SUPPORTING LEGISLATION TO PROVIDE TRANSPORTATION FUNDING
TO ACCELERATE HIGHWAY CONSTRUCTION IN ARIZONA

WHEREAS, it is essential for the economic well-being of the state and the maintenance of a high quality of life that the people of Arizona have an efficient transportation system; and

WHEREAS, existing revenue sources to provide an efficient transportation system have not kept pace with Arizona's growing transportation needs and Arizona is facing a short fall to meet critical highway needs over the next ten-year period; and

WHEREAS, more innovative mechanisms provide an important means to accelerate the delivery of projects; and

WHEREAS, new funding mechanisms can assist in the proposed acceleration of the Maricopa County freeways and highways; and

WHEREAS, delaying transportation improvements increases future costs, adds costly economic burdens, and decreases productivity; and

WHEREAS, additional security and flexibility is needed to accelerate federally funded projects through Grant Anticipation Notes; and

WHEREAS, legislative action would enhance the investment in the state's transportation infrastructure, generating significant benefits; including job creation, economic development, cost reductions by building sooner, and travel time savings for the driving public; now therefore,

BE IT RESOLVED that the Maricopa Association of Governments' Regional Council strongly supports legislation which accelerates the regional freeway and highway system and urges the Arizona Legislature to pass legislation which will be an important contributor to Arizona's transportation future.

ADOPTED this twenty-fourth day of March 1999.

Mayor Skip Rimsza, Acting Chairman
MAG Regional Council

ATTEST:

James M. Bourey, Executive Director
Maricopa Association of Governments

Eric Anderson stated that currently two similar bills, HB 2572 and SB 1201 are active in the legislative process. Both bills allow for \$400 million in Board Funding Obligations (BFO's) for the State Infrastructure Bank. These short term notes would be repaid in five years by federal funds available in later years. Of the \$400 million available on a statewide basis, \$200 million would be available to this region. The legislation would also provide greater flexibility for issuing short-term notes backed by federal funds and State Highway User Revenue Funds. These are referred to as Grant Anticipation Notes (GANS). In this region, it is estimated that approximately \$200-\$250 million in GANS could be issued. Mr. Anderson stated that the money would stay in Arizona and not end up in Washington. Mr. Anderson stated that these financing funding options are innovative concepts. He commented that the ADOT has been working with the Legislature on options for completing the freeway system. Acting Chairman Rimsza thanked Mr. Anderson for his report and asked if there were any questions.

Councilmember Ken Forgia moved, Roc Amett seconded, and it was unanimously carried to support the resolution for legislation to allow for Board Funding Obligations and greater flexibility for Grant Anticipation Notes.

Vice Chairman Rimsza announced that a progressive dinner in Suite 300 upstairs would be held for the members of the Regional Council and their staff who have confirmed their dinner reservations.

There being no further business, the meeting was adjourned at 5:45 p.m.

Chairman

Secretary